

REMARKS

Claims 1-42 were pending and presented for examination in this application. In an Office Action dated November 20, 2006, claims 1-42 were rejected. Applicants thank Examiner for examination of the claims pending in this application and addresses Examiner's comments below.

Applicants are amending claims 6-7, 9-10, 12-18, 23-33 and 35-40 in this Amendment and Response. Applicants are canceling claims 1-5, 19-20, 34 and 41. Claims 21, 22 and 42 were previously canceled. These changes do not introduce new matter, and their entry is respectfully requested. In making these amendments, Applicants do not concede that the subject matter of such claims was in fact disclosed or taught by the cited prior art. Rather, Applicants reserve the right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

Applicants' representative conducted an interview with Examiner on January 17, 2007 and an Interview Summary was mailed by Examiner on January 25, 2007. Based on the interview, Applicants present claim amendments and remarks herein that distinguish the claimed invention from the cited references. The claims, as amended, recite a printer for receiving, processing and outputting audio/music data. In contrast to conventional printers, the claimed invention has an audio/music storage module, a processor and a conversion module embedded within the printer. Thus, the printer can operate independently of a PC or other processing device.

In the Interview Summary, Examiner admits that a stand-alone printer including a processor for converting the input between different formats is not a normal capability of peripheral devices. However, Examiner contends Sitrick teaches processing abilities and a printer port, and states that it would be obvious to combine the two into one device. Applicants respectfully disagree with

Examiner and submit that the suggested combination would not be obvious because printers, as with most all peripheral devices are designed with limited computing capability and operate as slave devices that rely on a host computer (or other processing device) for processing and storage. Furthermore, cost, ease of use, and compatibility are all design principles that teach away from the claimed invention and toward printers with minimal functionality. Thus, conventional operation of printers (including the use in Sitrick) teaches away from a standalone printer with an embedded storage module, processor and conversion module, as claimed. In view of the Amendments herein and the Remarks that follow, Applicants respectfully request that Examiner reconsider all outstanding rejections, and withdraw them.

Response to Rejection Under 35 USC 103(a) in View of Sitrick

In the 1st paragraph of the Office Action, Examiner rejects claims 1-4, 9, 10, 12-25, 27-39, 41 and 42 under 35 USC § 103(a) as allegedly being unpatentable over U.S. Patent Publication No. 2003/0110926 to Sitrick et al. ("Sitrick"). This rejection is now traversed.

Representative claim 29, as amended, recites:

A printer for outputting a processed audio/music file comprising:

an interface for receiving audio/music data in a first format;

an audio/music storage module embedded within the printer for storing the received audio/music data;

a processor embedded within the printer and communicatively coupled to the audio/music storage module for processing the audio/music data;

a conversion module embedded within the printer and communicatively coupled to the processor and the audio/music storage module for converting the audio/music data from the first format to an electronic format and to a printable format; and

an output system embedded within the printer for outputting the processed audio/music data in the electronic format and for printing the processed audio/music data in the printable format to a tangible printable medium.

(emphasis added)

Independent claim 23, as amended, recites a method with elements similar to claim 29. The claimed invention prints received audio/music data to a tangible printable medium (such as paper), a form that is advantageously highly portable and easily readable. In contrast to conventional printers, the claimed invention has an audio/music storage module, a processor, and a conversion module embedded within the printer. By embedding modules within the printer, the printer can operate independently of a PC or other processing device.

The claimed invention is not obvious in view of Sitrick. Sitrick discloses an electronic music display system that can perform various audio processing operations. Although Sitrick discloses a printer port that could be connected to a conventional printer, Sitrick does not disclose or suggest an audio/music storage module or a conversion module embedded within a printer. The features of the claimed invention are not obvious because printers are traditionally peripheral devices that receive only postscript files from a host device (e.g. via the printer port in Sitrick). Printers do not conventionally receive audio/music data and would not have embedded functional modules such as a conversion module or an audio/music storage module that operate on audio/music data.

Further, the combination of Sitrick and a conventional printer is different than the claimed invention and does not provide the advantages of the claimed invention. For example, by embedding a processor, audio/music storage module and conversion module all within the printer, the printer can operate as a standalone device. For example, a user has music in mp3 format stored on a portable Flash drive and wishes to print a musical score. The user inserts the Flash drive directly into the printer and presses appropriate buttons on the printer. The mp3 file is transferred and stored to the printer in the embedded audio/music storage module. The printer then converts the music file into a musical score (using the processor and conversion module) and prints the score

to paper. Other similar uses of the claimed invention will be apparent to one of ordinary skill. Thus, the claimed invention would advantageously provide a user with far greater flexibility and ease of use than a mere combination of Sitrick and a conventional printer. Therefore, Applicants respectfully submit that claims 23 and 29, as amended, are patentably distinct from the cited reference. The dependent claims not mentioned above incorporate the limitations of their respective base claims and are allowable for at least the same reasons.

Response to Rejection Under 35 USC 103(a) in View of Sitrick and Chantzis

In the 3rd paragraph of the Office Action, Examiner rejects claims 5-8, 26 and 40 under USC § 103(a) as allegedly being unpatentable over Sitrick in view of Chantzis et al. (“Chantzis”). This rejection is now traversed.

Claims 6-8, 26 and 40 are directly or indirectly dependent on claims 23 and 29; and all remarks above with respect to Sitrick can also be applied to claims 6-8, 26 and 40. Chantzis discloses an electronic audio-acoustic proficiency testing device. Chantzis merely mentions an output printer as part of a computer system (Chantzis, FIG 1) for printing a report of test results. Chantzis shares the deficiency of Sitrick because neither reference discloses or suggests a printer having an embedded audio/music storage module or an embedded conversion module. Therefore, Applicants respectfully request that the Examiner reconsider the rejections to claims 6-8, 26 and 40 and withdraw them.

Response to Rejection Under 35 USC 103(a) in View of Sitrick and Graham

In the 5th paragraph of the Office Action, Examiner rejects claim 11 under 35 USC § 103(a) as allegedly being unpatentable over Sitrick in view of “Video Paper: A Paper-Based Interface..., Graham et al.” (“Graham”). This rejection is now traversed.

Claim 11 relates to archiving and indexing audio files by assigning bar codes to the musical segments. The present application is a continuation-in-part of several related U.S. Patent Applications filed as early as November 19, 2001. For example, FIG 7A-C and paragraphs [0128]-[0130] of co-pending U.S. Patent Application Serial No. 10/001,895, "(Video Paper) Paper-based Interface for Multimedia Information" discloses archiving and indexing multimedia files by assigning bar codes to the media segments. Therefore, since Graham has a published date of June, 2002, it is not prior art to the present invention. Applicants assert that the rejection under USC 103(a) in view of Sitrick and Graham is improper and respectfully request that the Examiner reconsider and withdraw the rejection.

CONCLUSION

In sum, Applicants respectfully submit that claims 6-18, 21-33 and 35-40, as presented herein, are patentably distinguishable over all of the art of record. Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them.

In addition, Applicants respectfully invite Examiner to contact Applicants' representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully submitted,
JONATHAN J. HULL, ET AL.

Dated: February 8, 2007

By: /Greg T. Sueoka
Greg T. Sueoka, Reg. No.: 33,800
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Tel.: (650) 335-7194
Fax: (650) 938-5200